## REMARKS

Reconsideration and withdrawal of the rejections and objections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, and the remarks that follow as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes and remarks are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Claims 1-59 are pending. Claims 1-59 are amended and claims 58 and 59 are newly added, without prejudice. No new matter is added by these amendments. Support for the amended recitations in the claims is found throughout the specification, and particularly, on page 12, line 4 to page 13, line 35 and page 14, line 20 to page 15, line 21 of the present specification. Further support is found in pending claim 14.

The Examiner objected to the specification and specifically to the abstract. The abstract has been amended herein. Applicant therefore respectfully requests that the objection to the specification be withdrawn.

The Examiner objected to the content of the specification. Specifically, the arrangement of the specification should be consistent with USPTO guidelines. The specification has been arranged in sections consisting of section headings in accordance with the USPTO guidelines.

Applicant therefore respectfully requests that the objection to the content of the specification be withdrawn.

Claim 25 was objected to because of multiple dependent claim references. The amendments to the claims render the objection moot. Consequently, reconsideration and withdrawal of the objection is respectfully requested.

Claims 12, 13, 23, 25-28, 31, 51, 53 and 55 were rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite. The amendments to the claims render the rejection moot. Consequently, reconsideration and withdrawal of the Section 112, second paragraph, rejection is respectfully requested.

Claims 1-14, 20, 21, 30-43, 48, 49, 53 and 57 were rejected under 35 U.S.C. 102(b) allegedly as being anticipated by Logan et al. (U.S. Patent No. 6,088,455). Applicant disagrees.

For example, claim 1, as amended herein, recites in part, "An apparatus for storing at least one sequence of information...comprising...**producing means for automatically producing similarity relations between the segments in terms of mutual closeness in which the segments initially occurred in the received sequence of information**." (Underlining and Bold added for emphasis.)

It is respectfully submitted that the portions of Logan relied upon by the Examiner neither disclose nor enable at least the above-recited feature of claim 1.

Logan refers to the possibility of updating a recognition algorithm employed by a remote data processor 90, such as a website (column 12 lines 16-17). In fact, no part of that passage or the rest of the description mentions the notion of a similarity in terms of relative positions in the segments among themselves. Indeed, the teachings of Logan simply focus on the extraction of individual music titles from an audio stream. A typical disclosed technique for this extraction

involves downloading "identification signals" from a specialized URL at a remote node 16 (column 7, lines 18-30). The identification signals contain data elements "representative of a portion of a known segment of a broadcast programming signal" (column 8, lines 26-30). To delimit the beginning and end of a music title, say, attribute information specifies the length of time the music title runs, respectively, before and after identification signal, the latter having been found to match the corresponding portion of the broadcast signal inside those limits. Buffering techniques are employed to isolate the thus-delimited music title from the broadcast signal (column 9, lines 16-26). Moreover, another approach based on the detection of a pre-stored "introduction signal" indicative of an initial broadcast segment is also described (column 9, lines 27-37).

As a result, Logan is completely silent on considering any possible ordering of the successive music titles in the broadcast signal. Basically, the broadcast signal is considered as nothing more than raw material for extracting individual music titles. The only information exploited in the broadcast signal is the data contents making up each individualized music file.

By contrast, the newly claimed invention, when applied to a music title application, would exploit information reflecting an order of succession of the music titles in the broadcast signal. It can be clearly established that this is not the case in Logan, not only because he makes no mention whatsoever of noting the order of successive music titles in the broadcast signal, but also because the only attributes he uses – and from which a classification can be envisaged – are internal to the music titles.

The organization of the music files in Logan is classical, inasmuch as it is based on attributes associated to individual music titles, as discussed at column 13, line 30 to column 14,

line 16. In instances, discussed more particularly in the passage at column 14, lines 4-14, the identification still applies to music titles considered in isolation.

Consequently, Logan does not explain how to organize the library of music titles once the attributes have been acquired for the individualized music titles. Whichever methodology is used, it will be appreciated that the end result cannot reflect the relative positions of music titles in the broadcast audio signal, as that positioning information was never considered upstream.

Therefore, the instant claims are believed to be distinguishable from Logan for at least the reasons stated above.

For reasons similar to those described above, claim 33 is also believed to be distinguishable from Logan.

Claims 2-14, 20, 21, 30-32, 34-43, 48, 49, 53 and 57 depends from one of claims 1 and 33 and, due to such dependency, are also believed to be distinguishable from Logan for at least the reasons previously described.

Applicant therefore respectfully requests that the rejection of claims 1-14, 20, 21, 30-43, 48, 49, 53 and 57 under 35 U.S.C. §102(b) over Logan be reconsidered and withdrawn.

Claims 15-19, 22, 24, 44-47, 50, 52 and 55 were rejected under 35 U.S.C. 103(a) allegedly as being unpatentable over Logan in view of Kraft et al. (U.S. Patent No. 6,225,546). Applicant disagrees.

Claims 15-19, 22, 24, 44-47, 50, 52 and 55 depend from one of claims 1 and 33, and, due to such dependency, are also believed to be distinguishable from Logan for at least the reasons previously described. The Examiner does not appear to rely on Kraft to overcome the above-identified deficiencies of Logan. Therefore, claims 15-19, 22, 24, 44-47, 50, 52 and 55 are believed to be distinguishable from the applied combination of Logan and Kraft.

Applicant therefore respectfully requests that the rejection of claims 15-19, 22, 24, 44-47, 50, 52 and 55 under 35 U.S.C. §103(a) over Logan and Kraft be reconsidered and withdrawn.

Applicant has further added new claims 58 and 59. Applicant submits that the 35 U.S.C. 102(b)/103(a) rejections relied upon by the Examiner do not apply to claims 58 and 59, and submits that the rejection of these claims over 35 U.S.C. 102(b)/103(a) would be improper.

In the event that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,

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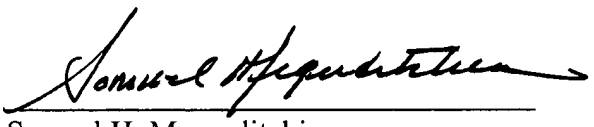
By: 

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